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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,494	11/28/2000	Напту С. Sweere	1333.001US1	6970
22859	7590 11/04/2003		EXAM	INER
INTELLEC	CTUAL PROPERTY C	BAXTER, GWENDOLYN WRENN		
FREDRIKS	ON & BYRON, P.A.		<del></del>	<del>-</del>
4000 PILLS	BURY CENTER	ART UNIT	PAPER NUMBER	
200 SOUTH	SIXTH STREET	3632	<del> </del>	
MINNEAPOLIS, MN 55402			DATE MAILED: 11/04/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
. Office Action Summary		09/724,494	SWEERE ET AL.			
		Examiner	Art Unit			
		Gwendolyn Baxter	3632			
Period 1	The MAILING DATE of this communication app or Reply	pears on the cover sheet with	h the correspondence address			
THE - Ext afte - If th - If N - Fai - Any	HORTENED STATUTORY PERIOD FOR REPL' MAILING DATE OF THIS COMMUNICATION. ensions of time may be available under the provisions of 37 CFR 1.1 or SIX (6) MONTHS from the mailing date of this communication. e period for reply specified above is less than thirty (30) days, a repl o period for reply is specified above, the maximum statutory period of ure to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing the patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a rep y within the statutory minimum of thirty will apply and will expire SIX (6) MONT e, cause the application to become ABA	oly be timely filed  (30) days will be considered timely.  HS from the mailing date of this communication.  NDONED (35 U.S.C. § 133).			
1)⊠	Responsive to communication(s) filed on 14.	<u>July 2003</u> .				
2a) <u></u>	This action is <b>FINAL</b> . 2b)⊠ Th	nis action is non-final.				
3) 🗌	closed in accordance with the practice under	ance except for formal matt <i>Ex parte Quayle</i> , 1935 C.D	ers, prosecution as to the ments is . . 11, 453 O.G. 213.			
·	tion of Claims	nandina in the confication				
4)[2]	Claim(s) <u>21-33,36-40,42-44,46 and 47</u> is/are					
£\⊠	4a) Of the above claim(s) is/are withdrawn from consideration.					
·	Claim(s) <u>32,33,39 and 40</u> is/are allowed.					
	Claim(s) <u>21-23, 25-31, 36, 38, 42-44, 46 and 47</u> is	s/are rejected.				
	Claim(s) <u>24 and 37</u> is/are objected to.	a alastian sancianas sat				
	Claim(s) are subject to restriction and/o	r election requirement.				
	The specification is objected to by the Examine	r.				
·	The drawing(s) filed on 14 July 2003 is/are: a)		by the Examiner.			
·	Applicant may not request that any objection to the	, , – ,	· ·			
11)	The proposed drawing correction filed on		• •			
	If approved, corrected drawings are required in rej					
12)	The oath or declaration is objected to by the Ex	aminer.				
Priority	under 35 U.S.C. §§ 119 and 120					
13)	Acknowledgment is made of a claim for foreign	n priority under 35 U.S.C. §	119(a)-(d) or (f).			
a)	☐ All b)☐ Some * c)☐ None of:					
	1. Certified copies of the priority document	s have been received.				
	2. Certified copies of the priority documents have been received in Application No					
*	3. Copies of the certified copies of the prio application from the International Bu See the attached detailed Office action for a list	reau (PCT Rule 17.2(a)).	_			
	Acknowledgment is made of a claim for domesti					
_ {	<ul> <li>The translation of the foreign language pro Acknowledgment is made of a claim for domest</li> </ul>	ovisional application has bee	en received.			
اسارد ا Attachmeı		ic priority under 35 U.S.C. §	13 120 aliu/01 121.			
1)	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449) Paper No(s) <u>1:</u>	5) Notice of Inf	ummary (PTO-413) Paper No(s) formal Patent Application (PTO-152)			
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This is the third office action for serial number 09/724,494, Monitor Support System, filed on November 28, 2000.

# Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21-23, 25, 26, 28-31, 36, 38, 42-44 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,246,191 to Moss. The present invention reads on Moss as follows: Moss teaches a support mechanism comprises a guide (not numbered but labeled), a cam (22), a cam follower (23), a force member (24), and a truck (not numbered but labeled). The guide has a path of motion associated therewith. The cam has a cam profile. The cam follower is adapted to ride on the cam. The force member is to apply a force to the cam follower forcing the cam follower against the cam. The force is in a direction non-parallel to the path of motion. The cam applies a reaction force against the cam follower converts the force member force into a first reaction force component in the direction of the path of motion and a second reaction force component. The truck is coupled to the monitor or support (17) and is coupled with the at least one cam follower, movably coupled with the guide, and movable along the path of motion. The force member applies an increasing force on the cam follower as the truck moves along the path

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of motion. The cam profile comprises a shape wherein the first reaction force component is a substantially constant supporting force on the monitor or support. An arm (25) is rotatably coupled to the truck and having a distal end coupled to the cam follower. The cam profile generally faces and does not intersect an axis of motion of the truck. The path of motion is oriented in a vertical direction. The cam includes a pair of outward facing cam surfaces (20) having an increasing width therebetween towards a lower end of the cam surfaces. The cam follower and energy storage member move in a generally planar arrangement with each other. The spring member increases a pre-load force on the force component. A frictional force prevents the truck from moving until the friction force overcomes by a pre-determined outside force applied to the truck. Each cam follower rides on the cam surface and rotates the cam to increase the spring force.

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moss. Moss teaches the limitations of the base claim, excluding the cam including opposing inward facing cam surfaces having a decreasing width therebetween. It would have been obvious to one having

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ordinary skill in the art at the time the invention was made to have modified the cam such that the cam surfaces having a decreasing width therebetween towards a lower end of the cam surfaces, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167.

Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moss in view of U.S. Patent No. 5,685,525 to Oguri. Moss teaches the limitations of the base claim, excluding the energy storage member or spring formed by fiberglass spring. Oguri teaches an energy storage member formed by fiberglass spring (col. 3, lines 1+). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the energy storage member as taught by Moss to have incorporated the fiberglass material as taught by Oguri for the purpose of improving the impact resistance characteristics of the surface of the coil spring.

#### Allowable Subject Matter

Claims 24 and 37 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 32, 33, 39, and 40 are allowed.

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### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn Baxter whose telephone number is (703) 308-0702. The examiner can normally be reached Monday-Friday from 8:30 A.M. to 5:00 P.M. Eastern Time Zone.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113. The fax phone number for this Group is (703) 305-3597.

gb.

November 2, 2003

WENDOLYNBAXTER
PATENT EXAMINER